

**IN THE UNITED STATES COURT OF FEDERAL CLAIMS  
BID PROTEST**

FMS INVESTMENT CORP., *et al.*, )  
Plaintiffs, )  
v. )  
THE UNITED STATES, ) Civil Action Nos. 18-204C, *et al.*  
and ) Judge Thomas C. Wheeler  
PERFORMANT RECOVERY, INC., *et al.*, )  
Defendant-Intervenors. )

**DEFENDANT-INTERVENOR PERFORMANT RECOVERY, INC.'S  
RESPONSE TO MAY 7, 2018 ORDER**

In accordance with the Court's May 7, 2018 order, Defendant-Intervenor Performant Recovery, Inc. notifies the Court that it intends to oppose the Defendant's May 7, 2018 motion to dismiss.

Dated: May 11, 2018

Respectfully submitted,

*Of Counsel:*

Thomas L. McGovern III  
Christine Reynolds  
Thomas A. Pettit  
HOGAN LOVELLS US LLP

/s/ Michael McGill  
Michael McGill  
HOGAN LOVELLS US LLP  
555 Thirteenth Street NW  
Washington, DC 20004  
Telephone: (202) 637-8862  
Facsimile: (202) 637-5910  
[michael.mcgill@hoganlovells.com](mailto:michael.mcgill@hoganlovells.com)

*Counsel of Record for  
Performant Recovery, Inc.*